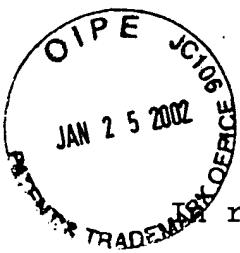


S.N. 09/942,866

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PATENT APPLICATION

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

re application of )  
Applicant: Scorza et al. )  
Title: Plum Tree Named 'C5' ) Group Art Unit: 1661  
Serial No.: 09/942,866 )  
Docket No.: 0117.96 )  
Filed: 08/31/01 )

SUBMISSION OF MISSING PARTS

Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTN: Application Branch

Sir:

In response to the "Notice to File Missing Parts of Non-Provisional Application" dated 10/05/01 enclosed for filing in the above-identified application is a Declaration and Power of Attorney signed by all of the Applicants. Please charge the amount of \$130.00 for the Declaration and Power of Attorney to Deposit Account 21-0414.

The Commissioner is hereby authorized to charge any additional fees which may be required at anytime during the

S.N. 09/942,866

prosecution of this application, or credit any overpayment, to  
Deposit Account 21-0414.

Respectfully submitted,

November 14, 2001

Date

Janelle S. Graeter

Janelle S. Graeter, Patent Advisor  
Registration No. 35,024  
USDA-ARS-OTT  
5601 Sunnyside Ave., Rm. 4-1159  
Beltsville, Maryland 20705-5131  
Telephone: (301) 504-6629

Enclosures:

Declaration

PTO-1533

Certificate of Mailing

CC:

H. Silverstein

R. Scorza



JAN 25 2002

SER. 09/942,866

Signed Declaration and Power of Attorney

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\*\*\*\*\*  
\* I hereby certify that this correspondence is being deposited \*  
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\* Washington, DC 20231, on November 20, 2001 \*  
\* (Date) \*  
\* Scorza et al. \*  
\* (Name of applicant, assignee, or Registered Representative) \*  
\* John \*  
\* (Signature) 11/20/01 \*  
\* (Date) \*  
\*\*\*\*\*



JAN 25 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/942,866         | 08/31/2001          | Ralph Scorza          | 0117.96                |

CONFIRMATION NO. 9493

## FORMALITIES LETTER



\*OC000000006853834\*

Janelle S. Graeter  
 USDA-ARS-OTT  
 Rm. 4-1159  
 5601 Sunnyside Ave.  
 Beltsville, MD 20705-5131

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Date Mailed: 10/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*MF*  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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